

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held on Wednesday, 1 June 2022 at 6.00 pm in Addenbrooke House, Ironmasters Way, Telford TF3 4NT

Present: Councillors G H Cook, I T W Fletcher, E J Greenaway (as substitute for N A Dugmore), J Loveridge, G L Offland (Vice-Chair), K S Sahota (as substitute for A S Jhawar), P J Scott, C F Smith (Chair) and B Wennington (as substitute for J Jones)

In Attendance: J Clarke (Senior Democracy Officer (Democracy)), K Craddock (Principal Planning Officer), M Turner (Area Team Planning Manager - East) and S Yarnall (Democracy Officer (Scrutiny))

Apologies: Councillors N A Dugmore, A S Jhawar and J Jones

PC277 Declarations of Interest

None.

PC278 Minutes of the Previous Meeting

RESOLVED – that the minutes of the meeting of the Planning Committee held on 4 May 2022 be confirmed and signed by the Chairman.

PC279 Deferred/Withdrawn Applications

None.

PC280 Site Visits

None.

PC281 Terms of Reference

The Legal Advisor presented the report of the Director: Policy & Governance in relation to the Terms of Reference of the Planning Committee.

The Constitution requires that Full Council should agree at its Annual Meeting the Terms of Reference for each of its Committees to enable the Council to efficiently conduct its business. At the Annual Meeting on 19 May 2022, Full Council delegated authority to each Committee to review its own Terms of Reference. The Terms of Reference forms part of the Constitution and the Constitution was approved by Full Council on 19 May 2022. There were no suggested changes to the Terms of Reference.

Upon being put to the vote it was, unanimously:-

RESOLVED – that the Terms of Reference be approved.

PC282 Planning Applications for Determination

Members had received a schedule of planning applications to be determined by the Committee and fully considered each report and the supplementary information tabled at the meeting regarding planning applications TWC/2021/1225 and TWC/2021/1228.

PC283 TWC/2021/1225 Site of Cheswell Grange Farm, Cheswell Drive, Cheswell, Newport, Shropshire

This application was for the construction of a solar farm comprising ground mounted solar photovoltaic arrays together with battery energy storage facility and associated infrastructure, including WPD and client substations, inverters, perimeter security fencing, access tracks, CCTV and landscaping on the site of Cheswell Grange Farm, Cheswell Drive, Cheswell, Newport, Shropshire.

Councillor A Eade, Ward Member, had requested that the application be determined by the Planning Committee.

An update report was tabled at the meeting reporting additional comments received in relation to the amended Landscaping Plan and the Landscaping Scheme. It also included additional conditions from the Council's Highway Engineers which were omitted from the Committee Report, together with one additional letter of objection.

The Planning Officer informed Members that the sub-station and battery transformers would be housed in the existing farmyard buildings at Cheswell Grange with access via Kynnersley Drive. Highway widening was proposed to facilitate vehicles. The site was within the rural area but the site did not have any special landscape designation.

Councillor D Shaw, spoke in favour of the application on behalf of both Lilleshall Parish and local residents as there was a need for alternative energy and the protection of future generations and has been highlighted by the recent fuel and energy supplies and there were no adequate alternatives to offset this. The fields were currently used for grazing and this could continue whilst the solar farm was in place. The landscape mitigation measure should alleviate concerns. He felt that this site could be used for scientific studies to assess and resolve the negative aspects of the site and enhance the positives increasing the effectiveness of this site and future sites. Lilleshall Parish Council aimed to be a carbon neutral Parish and supported the solar farm application.

Councillor A Eade, Ward Councillor, spoke against the application due to its size and it was located next to the Weald Moors Strategic Landscape Site. He accepted the need for green energy but felt that building on agricultural land endangered food production and you had to weigh up the benefit from energy against the cost to the environment and the importing of food. It went

against policies ER1, BE1, BE4 paragraphs 1 and 6 and NE7 together with 174 of the NPPF. Little weight should be given to the visual impact assessment and the security fencing would have a significant impact. Sheep grazing could not take place on the solar farm and this contravened policy NE1. It was asked that semi mature planting took place prior to the commencement of the work if Members were minded to approve and that the security fencing be green to blend in with the surroundings.

Mr R Hogben, a member of the public, spoke against the application who felt that there was a need to be self-sufficient in food production and that agricultural land should be used for food production. The application site could be used to produce barley wheat and rape and brownfield sites should be used for the production of energy. The primary consideration should be the effect of the Weald Moors, Lilleshall Monument and Lilleshall Hill which was adjacent to the site. He felt the impact assessment had serious shortcomings and that little weight should be given to this. The application failed to satisfy policy BR1 and he felt that this application should be rejected but alternatively deferred until a suitable application came forward.

Mr N Harley, Applicant and Mr P Cookson, Applicant's Agent spoke in favour of the application who wished to bring in diversity to the currently unsustainable farm. The application contributed hugely to the biodiversity gain and contributed to the issue of climate change. Planning balance was required under the NPPF and they felt the benefit outweighed the harm to the strategic landscape. They had worked with the Council's Heritage Officers in relation to the lake and the peat land geotechnical aspects of the application. The application complied with policy ER1 and the design guide. There was a 46% biodiversity net gain on habitats and a 210% biodiversity net gain on hedges and was compliant with policy NE1 and NE2. Semi mature trees would be planted in the autumn.

The Planning Officer informed Members that within the Local Plan the relevant policies balanced protecting the land and local residential amenity against the need for renewable energy and lowering carbon emissions. A balanced judgment look at the application holistically and any harm associated with it. The site was an untouched agricultural landscape and any change would be harmful but on balance it was assessed that the benefit outweighed the harm. Consultees raised not objections to the application subject to conditions. In relation to the Weald Moors, the short, medium and long term impact had been assessed and it was felt that this was acceptable. Semi-mature trees would be planted as soon as possible to those residences in close proximity to the site with planting taking place prior to construction. The application met the climate change agenda and there was a biodiversity net gain on habitats, hedgerows and grassland. On balance it was assessed that the benefits of the application outweighed the harm.

During the debate some Members understood the loss of the agricultural land but felt that on this occasion that the benefits of this site outweighed the harm and the planting of semi-mature trees would enhance the visual appearance but very few people would be directly affected. They applauded the additional

hedges, trees and flowers which would be an enhancement. Grazing could continue and the application was supported by the Parish Council. It was agreed that the fencing needed to be green and that the application could be approved. Other Members raised concerns regarding the impact on the Weald Moors, the LVIA assessment and the visual impact. It was felt that sheep grazing could not take place and raised concerns regarding the proximity, size and scale, impact on residents and the impact on the unique flat views to the horizon and that it was contrary to policy. Further concerns were raised regarding the run off of rain water and the potential impact in relation to the bore hole and water contamination.

The Planning Officer confirmed that there were examples of sheep grazing around the country, but if sheep grazing was not suitable there were other biodiversity gains. The land would be returned back to farming following the 40 year term and the land needed to be rested in order to make good use of it in the future. In relation to the LVIA the land was the lower end of the spectrum and there would be less than substantial harm and it had all been independently assessed. With regard to the Weal Moors, there would be a noticeable change but that would be mitigated against as far as possible. The semi-mature planting would be phased but where necessary planting would take place prior to construction and fencing would be green where it was visible with details of materials being conditioned as part of the recommendation.

On being put to the vote it was, by a majority:

RESOLVED – delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission (with the authority to finalise any matter including Condition(s), legal agreement terms, or any later variations) subject to the conditions contained in the report and the update report.

PC284 TWC/2021/1228 Land West of Melitta UK Ltd, Hortonwood 45, Hortonwood, Telford, Shropshire

This application was for the erection of 4no. industrial units (Use Class B2/B8) with ancillary offices, associated parking, service yards and landscaping on land West of Melitta UK Ltd, Hortonwood 45, Hortonwood, Telford, Shropshire.

This application was a major application and required a S106 agreement and was before Members for determination.

An update report was tabled at the meeting which contained details of the removal of a small area of land from the application boundary as it was included within the application in error and fell outside of the applicant's ownership. It also gave details in relation to the highway network, noise and the lighting scheme.

The Planning Officer informed Members that this application fell within the area allocated for employment purposes and was for a 24/7 operation for manufacturing, storage and distribution. A revised plan had been submitted. Financial contribution towards biodiversity and off-site replacement of trees were sought and there were no technical objections. A noise impact assessment had been undertaken together with a transport assessment and a financial contribution was sought towards the strategic highway network.

During the debate some Members felt that this was an industrial unit on an industrial estate and although they were saddened by the loss of trees, replacement trees would be planted elsewhere and it was asked if there was any location set aside for this, it was a good news story and could be fully supported. Other Members felt that although semi-mature trees were being planted the loss of trees would be felt for some years, the statement of support for solar panels was welcomed and this should be included on every new industrial building and in relation to the landscape strategy plan would more trees be taken out. Further concerns were raised regarding the detrimental impact on resident from noise on a 24/7 operation and if acoustic fencing could be installed to protect residential amenity and the impact on the local highway network, could contributions be sought towards a local bus network

The Planning officer did not currently have a location for the replacement trees but confirmed that the landscape strategy would be conditioned and that officers had worked with the applicant to ensure there was screening for residents and a buffer and a bunding on site. Contributions towards a bus route could not currently be requested as this was undertaken as a private entity and there was not stipulation currently in the local plan to require developers to install solar panels.

The Legal Advisor informed Members that the installation of solar panels could be fed into the Local Plan when it was due for renewal.

Upon being put to the vote it was, by a majority:-

RESOLVED – that delegated authority be granted to the Development Management Service Delivery Manager to grant planning permission subject to the following:

a) The following Contributions to be agreed through a s.106 Agreement:

- £184,519.18. towards the Strategic Highway Network;
- £58,800 towards footway/cycleway linkages;
- £5,000 towards Travel Plan Monitoring;
- £5,000 towards Traffic Regulation Orders;
- £84,800 towards Tree Replacement;
- £41,000 towards Biodiversity Net Gain;
- Financial Contribution s.106 Monitoring Fee (1% of total s.106 Contributions)

b) The conditions and Informatives set out in the report and the update report (with authority to finalise conditions to be delegated to Development Management Service Delivery Manager).

PC285 TWC/2022/0170 Granville Landfill, Grange Lane, Redhill, Telford, Shropshire

This application was for the variation of Conditions 6 and 13 of planning permission W2006/0232 (Extension to existing landfill site by deepening and raising contour profile by about 2m and restoration of the site with variation to conditions 7.13 and 20 of planning consent Ref: MW/94/0424/WR) to allow the disposal of permitted wastes within the landfill area to continue until 31 December 2030 and to reduce the permitted daily limit of waste to 1350 tonnes at Granville Landfill, Grange Lane, Redhill, Telford, Shropshire.

This application was before Planning committee at the request of Donnington and Muxton Parish Council and Councillor V Fletcher, Ward Councillor.

Additional representations had been received which noted a series of observations in relation to no local need, successful local recycling with zero going to landfill, clarification was sort where the waste was from, the permit on the site and its closure for a period of time, loss of value to local houses, the need to focus on incineration and the pyramid system and it was against the Human Rights Act 1998. The Planning Officer confirmed that the loss of value to local houses were not a material planning consideration and there was no evidence to support this. Landfill remained an important part of the hierarchy when no other option was available and it was considered there was still a need for this to continue.

Councillor A Lawrence, Ward Councillor, spoke against the application and raised concerns regarding the impact on the new residential area, it was land rise and not land fill, inappropriate location and an eyesore, loss of value to local properties and the expectation that the permit would be coming to an end and the land reverted back to a nature reserve, continual requests for extensions and the impact on the local environment.

Councillor V Fletcher, adjoining Ward Councillor, spoke against the application and raised concerns that this application went against policies within the Telford Local Plan, the need for the site, traffic flow along the access route, nearby construction site and vehicular traffic movements, the request for a 5 year extension but the site had only been closed for 2 years, impact on local residents, the lack of an impact assessment, noise and disturbance, smells, fumes and vermin on the site.

Ms H Howard, a member of the public, spoke against the application and raise concerns that this application went against policy and she felt it was detrimental to the local area, the lack of established need within Telford and Wrekin, the impact of land raise, the site was an eyesore, the contouring of the site, the operation should have ceased in 2021 and reverted back to the

Granville Country Park, the extension was not viable, landfill should be a last resort and this was a blight on the landscape with no local need.

Ms G Daintith, Applicant's Agent, spoke in favour of the application and explained that as the site was closed for two years the annual tonnage would need to increase. The site was not expected to reach capacity and it would close in 2025, the site was a strategic resource, the northern area of the site had been restored, there were no technical objections to the site and the variations did not impact on the permitted permission on landfill activities. There would be no additional traffic on the highway network and it was a recognised waste facility. The site operated under an Environment Agency permit and controls were in place in relation to noise and odour and the application was compliant with policies.

The Planning Officer explained to Members that there were clear and valid reasons for the operation to continue for a further five years and if the extension was refused the operator could not comply with the conditions on the existing site. There was no impact on future or existing residents as there were no changes or increase to the types of waste on the site which had already been approved and the operation was controlled by the Environment Agency and this was not for Members consideration. There were no material changes to the application and approval would allow for satisfactory completion of the site.

During the debate some Members raised concerns regarding odours from the site and impact on local residents and the highway network. Other Members raised concerns regarding the majority of waste was brought in from outside of the Borough and if this was a strategic resource for the local area, the additional height and the impact on the contours of the site, the climate change emergency and the impact on the Council's omissions targets. Further concerns were raised regarding the raising of the profile, the proximity to local housing developments and the lack of benefit to the local area. It was asked if the timescale could be reduced down from five years if requested and why the site had been closed, what had caused the delay, where the waste had been taken during its closure, should Telford and Wrekin be taking on waste from other local councils, would the site ever meet the figures if the waste sinks down and would there be a need for further extensions on the site.

The Planning Officer confirmed that the surrounding residential areas had been identified for a significant period of time within the local plan and officers were mindful that these could come forward whilst the site was still in operation. It was difficult to confirm where the waste came from and how it was processed as this came through a waste transfer station in Welshpool but waste was from the borough as well as other authorities and that there was still a need for landfill and the site at Granville was meeting that demand. A full restoration of the site would be undertaken but there was presently an undersupply of waste to the site and the application did not seek to increase the height or contouring but that the wording of the condition was in reference to the original application in 2006 and the site could be monitored in order to

review the contour. With regard to extensions of time to the site, each application would be considered on its own merits.

The Legal Advisor advised Members that the site was bound by the decision that was made in 2006 in relation to the contouring and the height of the site and this could not be exceeded or it would be a breach of conditions. The site was subject to a restoration and contouring plan. The use of landfill was still valid and some weight had to be given to that and with regard to the impact on residents, this would have been taken into consideration and weighed up appropriately. Members could reduce the timescale if they felt this appropriate.

Following the debate it was moved and seconded that the application be deferred in order that officers could undertake discussions with the applicant in relation to these concerns.

Upon being put to the vote it was, by a majority:

RESOLVED – that the application be deferred in order that officers could undertake discussions with the applicant in relation to where the waste came from and how it was processed, how long would the loading take place and would it sink down, would it have reached the limit by 2030, would it be like that a further extension would be requested in 2025, why did they not operate for a two year term and where was the waste taken.

The meeting ended at 8.19 pm

Chairman:

Date: Wednesday, 27 July 2022